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Sherman Adams Saga: This Capital is rocked — from the Capitol Dome to the White House corridors —by hour-to-hour bulletins on the desperate fight that the "Assistant President" is making to stay in power. The excitement is scarcely diminished by the widespread conviction (rarely expressed publicly) that the President should resign and let the youthful and vigorous Nixon take over the reins of power.

Hence the spotlight — a rather greenish one — plays on Sherman Adams; for Nixon in his delicate position must maintain a very correct silence. The big question stirring cocktail party debates is: "Hasn't Sherman overdone it?"

During the past week, the head of the Palace Guard pre-empted the authority of the White House physicians by a flat public statement — given out a day before the doctors examined the President — that Eisenhower was in "excellent health," in "excellent shape" and not only "looks strong" but "is strong." Capital comment on that is: what doctor, after that utterance by the White House "boss," would fail to go along?

If public opinion cannot swallow that — so runs the talk — it can scarcely be fooled by the transparently disarming proposal by Adams that a constitutional amendment should be passed to provide for the retirement of a President who is disabled. For Adams, in his saturnine way, immediately pointed out that "the earliest that it could be ratified by the states and take effect would be sometime in 1960." Since everyone believes that Adams will retire from the White House at that time, along with Ike, everyone interprets that statement to mean — "remember, I'll be here for three more years."

Not only does Sherman lay down the law; he also has a finely disciplined team of assistants who carry out his orders—notably Press Secretary James Hagerty. Secretary of State Dulles, however, apparently does not cooperate very well with Adams. For Dulles, on the morrow of the President's stroke, gave out word that Nixon would go to Paris for the NATO conference in the President's place. When Hagerty returned to the White House from his preliminary trip to Paris, Adams — according to reliable sources — sent Hagerty to the Secretary of State to tell the latter to reverse himself. Dulles — reluctantly, it is said — did so.

Additional incriminating evidence piles up against the Assistant President. Those who go in and out of the White House say that Adams and his aides seek to give the impression that Vice President Nixon, for politically selfish reasons, really does not wish to succeed the President (either by Ike's resignation or by means of congressional action declaring the President in a state of disability). The story which the Adams "Guard" leaks out is that Nixon would not want to succeed the President before January, 1959, because of certain language in the 22nd Amendment to the Constitution (passed as a result of conservative Republican and Democratic pressure). The language in question reads:

> **"No person shall be elected to the office of the President more than twice, and no person who had held the office of the President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once."**

In short, if Nixon succeeded Ike, or acted as President, any time before 1959, he could in reality serve only one-and-a-half terms (the balance of the term until 1960 and, if re-elected, the single additional term through 1964). Hence — so the anti-Nixon story goes — the Vice President is not anxious to take over Presidential power until January 1, 1959.

Those who know Nixon take no stock in this yarn. They believe he is willing to assume the office of President (either temporarily or permanently) at any time. But — being "on the spot" — neither he nor any of his close friends can afford to say so or to repudiate the Adams story.

Consequently, resentment against Adams' highhanded conduct is increasing rapidly in Washington — and elsewhere — not the least among employers and among grass-roots legislators. Specifically: Secretary of Labor Mitchell's recent statement that the White House would oppose any congressional legislation to curb compulsory unionism (such as right-to-work laws or appropriate amendments to the Taft-Hartley Act) is laid at Adams' door.

Mitchell, of course, has been opposed to right-to-work laws all along. But the White House, specifically Eisenhower, has not agreed with Mitchell privately or publicly on this issue.

However, it is noted that Mitchell made his first promise of White House opposition to right-to-work legislation since Ike's stroke and—it is well known—the President has had no time for any subjects save foreign policy since his recovery. Only Adams, it is believed, could have given Mitchell the green light on his startling statement last month about Administration opposition to such laws.

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Finally, the few members of Congress drifting back to the Capital now seize the occasion to say that Adams is probably the single greatest Administration opponent to reduction of taxes and to real economy. Adams served two terms as Governor of New Hampshire, and tried in both of them to get a sales tax passed. He was blocked by an economy and low-tax legislature. Since no sales tax has been passed since that time (eight years ago) New Hampshire people think of Adams as a "Taxing and Big Spending" politician. What else did he want a sales tax for, unless it was to spend more money? So runs the New Hampshire verdict.

Blame on the Democrats: Amid the swirl of urgent problems concerning defense and the penetration of space, there is one lesser—but still vexing—question which furnishes this violently partisan Capital with the pretext for many blistering recriminations: namely, which party is responsible for the "missile lag" in the development of US weaponry?

Most of the blows, of course, have fallen on the incumbent Administration, since it is in power at the time the furor boils to the surface. And — even GOP partisans concede — no amount of "buckpassing" can change the fact that the party now in office must be responsible for getting and keeping US defenses on a footing of unchallengeable strength.

Yet, impartial analysts point out, many facts about the present stage of US missile development can be understood only in terms of past bungling. Capital veterans recall distinctly the atmosphere that prevailed in Washington in the years following World War II, under the Truman Administration, when pacifist-minded scientists deflected America from advancing with powerful weapons programs. (Dr. Edward Teller discussed this scientific influence in his testimony before the Preparedness Subcommittee two weeks ago.)

Additionally, it was revealed this week, the Truman Administration threw a wrench into the already slowed development of intercontinental missiles when, in 1947, it cancelled its contract with the Convair aviation company for production of an ICBM. Representative Ford (R.-Mich.), who recalled this action at a press conference December 11, also pointed out that Truman cut and/or impounded $170 million of the Air Corp's $245 million request for research and development funds in fiscal 1947. Ford produced subsequent testimony by Air Corps authorities stating that this action eliminated all work on an ICBM.

Highway Robbery: Tales of unrestrained "goon squad" violence by Teamsters Union agents throughout Tennessee, unfolding this week before the McClellan Labor Rackets Committee, are cited as evidence of the need for a Federal right-to-work law.

Tennessee has a right-to-work statute on its state books. Its ineffectiveness in the face of lax policing, however, was demonstrated clearly before the committee by testimony of beatings, sluggings, shootings and vandalism destroying hundreds of dollars worth of property, all for the purpose of compelling membership in, and recognition of, the Teamsters Union.

Students of the labor union movement say that gangsterism in Tennessee is not by any means an isolated incident — that similar tactics are employed by the Teamsters and some other unions in many parts of the country where local police look the other way. "Closed shop" conditions, it is said, are thus effectively enforced — even in states having right-to-work statutes.

The Tennessee gangsterism is not a new story to readers of HUMAN EVENTS, even though it is being played up by metropolitan newspapers generally as a series of startlingly fresh disclosures. In its March 3, 1956, issue, HUMAN EVENTS published an article entitled "Highway Robbery," by Russell Turner, which told in detail of the "mismanagement of welfare funds, strong-armed hoodlumism [and] racketeering in any of its many manifestations" which pervade the Teamsters.

One of the situations discussed at length by Turner was that in Tennessee. Described were the beating and shooting of drivers for the B & S Motor Lines of Nashville, of damage to its property, of the wrecking of nonunion barber shops in Nashville, of the known but unpunished involvement of Teamsters agents Perry Canaday, W. A. Smith and others; all these items were explored at length before the McClellan Committee this week.

National Council of Churches: Anti-Communists recoil with distaste from the inaugural utterances of Edwin T. Dahlberg, newly elected President of the National Council of Churches. This huge church organization has frequently been attacked as collectivist and "soft" on communism. Nothing, say Capital conservatives, could tend to confirm such charges more than the election of Dahlberg to the NCC presidency. In his opening statement, Dahlberg delivered a speech which is characterized as an "overture to surrender in the guise of Christian teaching."

Because of modern weapons technology — Dahlberg said December 6 — "the concepts of military security are completely outmoded." Therefore, he added, America's churches must preach "massive reconciliation" and "the folly and futility of spending forty billions of dollars on a system of defense that will never in the world defend us." Dahlberg's answer to Communist designs to destroy America: "send more loaves of bread around the world."

Such sentiments from Dahlberg, say researchers, should surprise no one. For the new head of America's Protestant churches (who by no stretch of the imagination could truly represent the bulk of sentiment among Protestant laymen and clergy) possesses a substantial record of affiliations with subversive groups and undertakings. The files of *National Republic*, Washington's most authoritative reference service on communism, reveal this record for Dahlberg:

Member, National Committee for Defense of Political Prisoners, 1931 (cited as subversive by the House Un-American Activities Committee in 1942, and by the Attorney General of the United States in 1947 and 1948); sponsor, Political Prisoners' Bail Fund Committee, 1935; signer, open letter to President Roosevelt asking that the deportation order against Harry Bridges be

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set aside; one of several "prominent Americans" who favored "Presidential clemency for the release of Earl Browder," under auspices of the "Citizens Committee to Free Earl Browder" (cited as a Communist front by the HUAC *Guide to Subversive Organizations)*; one of 17 churchmen asking a Senate probe of "perjured testimony by informers" *(Daily Worker,* February 24, 1954); signer, open letter to the President urging support of the Lehman bill as substitute for the McCarran-Walter Act *(Daily Worker,* November 3, 1953); signer of open letter to Representatives and Senators urging outright repeal of McCarran Act — sponsored by National Committee for Repeal of McCarran Act *(Daily Worker,* December 28, 1954); petitioned President Eisenhower to ban H-bomb tests (Sunday *Worker,* July 14, 1957); signer of open letter to platform committees of Republican and Democratic parties urging them to back repeal of McCarran Act *(Daily Worker,* July 9, 1952); initiator, National Committee to Repeal McCarran Act *(Daily Worker,* December 27, 1950); this group is cited as a Communist front in the *Guide to Subversive Organizations.*

Free Trade: With full support of the far-ranging internationalist press, the Administration now is out in the open with its 1958 plans for foreign aid via the international "free trade" route: a five-year extension of the reciprocal trade agreements program, with authority to reduce tariff rates by 25 per cent.

In addition, the Administration will ask for legislation authorizing US adherence to the controversial Organization for Trade Cooperation. OTC is supposed to administer the multi-nation General Agreement on Tariffs and Trade, but critics say it would simply result in even further US tariff reductions; despite strong Administration support for three years, OTC's authorizing legislation has never been approved by even a congressional committee.

The program was presented publicly this week by C. Douglas Dillon, Deputy Under Secretary of State for Economic Affairs, and Secretary of Commerce Sinclair Weeks. Both contended that the trade-encouragement program's necessity had been increased by Russia's purported new economic offensive among neutralist nations.

Capital observers, however, agree generally that opposition to the reciprocal trade agreements program is growing, rather than waning, and that it is stronger now than it has been in several years. They predict that to win any extension at all, the Administration will be compelled to make substantial concessions — probably a statutory clause giving the Federal Tariff Commission authority to revoke the tariff cuts in proven-hardship cases.

The Lesson of Indonesia: These are bad weeks for the Capital's striped-pants advocates of foreign aid to "neutralists." Headlines this week had Indonesia's fellow-travelling President Sukarno, whom Washington feted lavishly in 1956, popping erratically in and out of office. Reportedly behind these comic-opera antics: resentment of Cabinet officials against their President's pro-Communist proclivities. Sukarno had begun expropriating wholesale the plantations of the Indonesian Dutch. Simultaneously, he had maneuvered himself into a position where Indonesia's Communists—according to realistic estimates—were ascending rapidly toward dominance in the strife-torn "guided democracy."

Meanwhile, US "neutralists" shrivelled under the contemptuous refusal last week of Yugoslavia's Tito—another of their favorites—to accept further military aid from America. Such, runs the sardonic commentary, are the fruits of the "foreign aid racket."

Secrecy and Security: Hard-boiled analysts of US cold-war strategy draw two lessons from the disastrous explosion of America's "Vanguard" rocket last Friday:

(1) It is difficult to conceive of a mechanism more easily sabotaged than the three-stage rocket that will be used to put the "Vanguard" in orbit; valves of great complexity feed the dangerous liquid propellants into the rocket engines of the first and second stages. A mere twist of the wrist can destroy the delicate balance and coordination of the rocket's components. This high susceptibility to sabotage, say the analysts, means that security screening must be absolute;

(2) Defense publicists were of course foolish to broadcast the dramatic particulars of the "count down" that led up to the explosion. However, it is realized that the normally discreet military was goaded into allowing this ludicrous display by the constant jabs of "liberal" pundits and civilian officials. The moral of the Vanguard failure is that weapons development and vitally related scientific work should be conducted in sensible secrecy. In a race to insure military advantage, it is imperative that secrets should not be advertised for the enemy's benefit; and in a race to insure international prestige, it is imperative that testing failures should not occur in the goldfish bowl of press, TV and radio publicity.

Integration: America's integration pot continues to boil:

● *Washington.* Judge Burnita S. Matthews last week dismissed a suit brought by a Negro seeking admission to the white Police Boys Club in the District. Judge Matthews ruled that the Club is incorporated predominantly by private citizens and that "the court is not empowered to interfere with the segregation practices of a private corporation." The NAACP, however, is registering vigorous protest; and the opinion of many students of "integration" is that such private institutions are high on the list for new race-mixing campaigns.

● *New York.* In this connection, a number of people are calling attention to a new book by law professor Arthur S. Miller, entitled *Racial Discrimination and Private Education* (North Carolina University Press). This volume avers that, under current legal doctrine, the Government may force integration in private as well as public schools. Also cited is a statute enacted last week by the City Council of New York, outlawing "discrimination," on the basis of race, creed or national

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origin, in private dwellings housing three or more families. This action, believe legal analysts, has "revolutionary" implications: for if a man cannot reserve the right to say who may live in buildings that he owns, then "private property" becomes a meaningless concept.

● *Down South.* The doctrine that racial integration in the South will be accepted there as "inevitable" has suffered a sharp setback from the Little Rock invasion. Southern determination to resist, say news analysts familiar with Dixie, is now stronger than ever. Evidence in support of this belief is last week's Gallup poll, which shows that anti-integration sentiment in the South is on the increase. Pollsters in February, 1956, found that 80 per cent of the white Southerners questioned were opposed to integration. In last week's poll, the figure had risen to 83 per cent.

Oppenheimer and Friends: The *Daily Worker* last week joined the chorus of those demanding the return to power of physicist-security risk J. Robert Oppenheimer. ". . . the demand for a return of an Oppenheimer," said the voice of the Communist line, "must be viewed as more than a frantic search for additional talent. *It should be the signal for a fundamental departure from the cold war policies of which he was a victim.*"

This means, continued the *Worker*, "an end to cold war persecution at home. Above all there should be speedy amnesty for the remaining Smith Act prisoners—Gil Green, Henry Winston and Irving Potash.

"Yes, by all means, lift the bars against an Oppenheimer. Also, open the gates for the Smith Act and all other cold war prisoners."

Foreign Aid: Attracting attention in the Capital in recent weeks has been a hard-hitting report to the Congress by the Office of the Comptroller General (the General Accounting Office), concerning the Defense Department's program of "military assistance to foreign nations." The report tackles, in no uncertain terms, what many in the Capital have long considered the glaring deficiencies and wastefulness of the US foreign aid program.

Noting that no clear estimate has been established of what the long-range cost of our "assistance" programs is supposed to be, the report adds that "in a number of countries the United States has programmed and is delivering military equipment in excess of that which can be effectively absorbed and utilized by the recipients in their existing state of development."

To curtail waste and bungling in the assistance program, the report recommends the establishment of "a systematic and continuous internal audit and management review."

College News Conference: Douglas Caddy, an ISI scholarship student who works part-time for HUMAN EVENTS, will appear as a member of the student panel on "College News Conference," over ABC-TV, on the afternoon of Sunday, December 22 (see local TV listings for time). Scheduled to be questioned by the panelists is New York's Democratic Governor Averell Harriman.

Book Event: *Democracy Versus Communism*, by Kenneth Colegrove; published by D. Van Nostrand Company, Inc., for the Institute of Fiscal and Political Education; 432 pp.; $4.95.

Professor Kenneth Colegrove has written the first textbook specifically designed to give high school students a clear, balanced study of the struggle against communism. Detailing communism's suppression of those freedoms which are taken for granted in America, Colegrove also graphically describes the principles and benefits of the American way of life. The rise of communism through history — from Plato's *Republic* to Soviet Russia today, its triumphs and failures, manifestoes and plans for world revolution — are all described in a lucid style easily read by the student in high school. A list of treaties which Soviet Russia has broken since her violent conception is included, clearly pointing up the fallacy of much current comment on the subject of "coexistence." This is a book designed for use as a standard classroom text in the basic principles of government.

Correction: Dr. Felix Wittmer's article, "The National Information Bureau," November 30, 1957, referred to "the now defunct League for Industrial Democracy." This reference should have read: "the now nearly defunct League for Industrial Democracy."

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Article Section *Printed in Two Sections*

NEW DEALERS — THEN AND NOW

Some Forgotten Aspects of FDR's Reign

By FREDERIC NELSON

IN THIS, the Century of the Well-Bred Fathead, it is difficult to select from the mass of a day's banalities any one phrase that might be nominated for Pomposity of the Year. There is almost no limit to the asininity of what you can hear in well-tailored "modern" circles, but the one that always sends me is, "Well, we're all New Dealers now." This ukase is usually uttered with a sadly tolerant smile, as if to say, "Weren't some of us disgracefully reactionary way back there in the 1930's?"

The charitable interpretation of this remark about being New Dealers is that we have got used to Federal guarantee of bank deposits, for which the late Senator Vandenberg (R.-Mich.) used to claim credit; some control over the issue of securities; Federal concern with labor relations in national industries; and maybe even recognition of a Federal interest in electric power development, which certainly existed before 1933.

Also, there is no serious complaint about the various measures, like bank closing, leaf-raking and artificially inseminated public works, that were adopted in the panicky first days of the Roosevelt Administration. Some of them, indeed, had been suggested by the retiring Hoover Administration. After all, anybody looks foolish in an emergency. In a fire you throw the baby out the window and carry Aunt Susan's hideous wedding present tenderly to safety. When it comes to acting like idiots to meet real or synthetic emergencies, our politicians today can hold their own with those of 1933.

But when it is said that everybody now is a New Dealer, it might be a good idea to inquire whether the reference is to the New Deal of the eager-beaver collectivists who called the turn after FDR took office in 1933, or to what was left of the New Deal after the conservatives in Congress and on the Supreme Court got through with it. It is easy to forget after 25 years that the socialistic aims of the New Dealers were to a large extent frustrated by determined members of Congress like Senator Carter Glass of Virginia, Speaker Jack Garner, Senator Robinson of Arkansas and others.

IT USED to be said — before we had this International Geophysical Year to get along with — that "Nature abhors a vacuum." However, reformers and revolutionaries simply adore vacuums, and hundreds of them swarmed into the vacuum created by the collapse of 1929 and the subsequent unemployment and depression. They moved into the departments of the Government, setting up Communist cells in Agriculture and the Treasury and the Labor Relations Board.

A school superintendent from Gary, Indiana, Dr. William Wirt, got an earful of their revolutionary plans at a Georgetown cocktail party and came away gasping. In *The Democratic Roosevelt* (Doubleday) Rex Tugwell dismisses Wirt as a rabbit-eared "hired propagandist" of the anti-New Deal "Committee for the Nation." Dr. Tugwell reports that Wirt was "made to look a fool" by a New Deal-engineered congressional investigation.

However, Wirt didn't know the half of it. He had probably never heard of Abt, Witt, Alger Hiss, Pressman, Harry Dexter White, Silvermaster and scores of other left-wing characters who moved in behind the New Deal. The evil that these men did lives after them, and it has to be scored among the items to be considered by those who think we are all New Dealers today.

Those who lived through it remember that the period of the early New Deal was more talky than a play by the late George Bernard Shaw. Everybody got into the conversation and you really had to say something startling to be considered worth fooling with. I remember entering a roomful of New Deal bureaucrats, one of whom said: "We were just de-

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bating which of us had the most reactionary employer before we joined up. If you had come sooner, there wouldn't have been any argument." (Wild horses won't persuade me to identify my employer during that era.) Tugwell recalls a conversation with FDR, mostly about Huey Long. Tugwell asked the President whom he considered the two most dangerous men in the country, the top menace being Huey: "I supposed the other was Father Coughlin. 'Oh no,' he said to my surprise; 'The other is Douglas MacArthur.'"

The inner circle of the New Deal crackled like that all the time, even when Dr. Wirt was far away.

WHAT — aside from "daring" epigrams — was the original New Deal designed to accomplish? Curmudgeon Harold Ickes, in an address to the Survey Associates in New York early in the game, described the New Deal as a "bloodless revolution" in which "we have turned our backs definitely and finally on an era that history will appraise as at once sordid, ruthless and glorious." Well, anyway, thanks for "glorious."

Some historians divide the New Deal into two or three parts: First, Second or Third New Deal. Before he took office, Roosevelt appeared to be against the New Deal, however subdivided. Once he declared that "under no circumstances shall any money be paid in the form of a dole or any other form by the local welfare officer to any unemployed or his family." He regarded spending on public works to solve unemployment as "only a stopgap," and he promised a "saving of not less than 25 per cent of the cost of the Federal Government," once he got elected.

He was against "borrowing to meet deficits," and he was contemptuous of "regulation and legislation by 'master minds.'" He couldn't speak harshly enough of Hoover's Secretary for inventing "the cruel joke of calling on the farmers to allow 20 per cent of their wheat land to lie idle, to plough up every third row of cotton and shoot every tenth cow."

Gerald Johnson, in *Roosevelt, Dictator or Democrat* (Harper's), appears to think that the country ought not to have been astounded when Roosevelt proceeded to forget all those anti-New Deal promises and turn the country over to the social planners. Candidate Roosevelt's campaign speech at San Francisco's Commonwealth Club ought to have put the country on notice, Mr. Johnson feels.

"Besides," says Johnson, "there were in the Democratic party in 1932 protectionists and free traders, Gold Bugs and Greenbackers, Isolationists and Internationalists, Radicals and Reactionaries. But as long as the candidate didn't go out of his way to affront any of these factions, they might be held together. . . . Roosevelt knew that, in the beginning, he could count on support for anything under heaven he chose to do, provided only that he did something. What an opportunity to frame his own program without regard to political consideration, but based solely on principles that he considered sound!" P. T. Barnum would have just loved That Man.

But Professor Tugwell, in *The Democratic Roosevelt,* declares that the Commonwealth Club speech was written by Adolph Berle, "with some help from me." The Brain Trust speech writers "agreed well enough that collectivism was by now a commitment"; but "the trouble was that Franklin did not write it and was actually, no matter what the speech said, in retreat from this position."

In short, if there was a definite philosophy or point of view which can be said to have been acceptable to all New Dealers, it was that fundamental doctrine which might be called the Harry Hopkins Law: "Tax and tax, spend and spend, elect and elect." God knows we have plenty of political leaders nowadays who, on the basis of Hopkins' Law, are entitled to say, "We are all New Dealers now." The chaos they have brought on the country, with their politically conceived "civil rights" laws and violent disruption of state responsibilities, is reminiscent of the heady days of the first New Deal, when the American system was challenged by what the late Harold Laski characterized as "a systematic effort to put capital into leading strings of principle."

But what kind of a program would have been considered "sound" by FDR? John T. Flynn, not exactly a cozy witness, has written in *The Roosevelt Myth* (Devin-Adair) that "it was always easy to sell him a plan that involved giving away Government money. It was always easy to interest him in a plan which would confer some special benefit upon a special class in the population in exchange for their votes. He

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was sure to be interested in any scheme that had the appearance of novelty and he would quickly seize upon a plan that would startle and excite people by its theatrical qualities."

Whatever Roosevelt himself may have thought he was for or against, beyond getting elected, the guts of the New Deal was the "planned economy," the first step toward achievement of which was the National Recovery Administration (NRA). "Planning for abundance" was the topic of seminars and the discussion pits frequented by intellectuals of that day. Nobody bothered to ask who was to do the planning or in whose interest. Planning just seemed a good idea in contrast to the chaos which raged outside. One planner made it clear that you couldn't have social planning without some pretty revolutionary events. Planning, he wrote in *Scribner's* magazine in 1933, "can be introduced only when governments take power and speculative profits away from bankers and businessmen. . . . national planning and economic nationalism must go together or not at all."

The New Deal plan for the economy through NRA provided that business and industry were to be governed by "codes of fair practice." As Mr. Ickes explained it, "a code may be self-imposed by a majority of an industry, despite a recalcitrant minority. A code may be involuntarily imposed notwithstanding the opposition of a majority. The Government is in effect saying to business, 'Cooperate voluntarily if you can, but cooperate you must.' "

Even before the collapse of NRA and its invalidation by the Supreme Court, it was plain that the "recalcitrant minority" had taken over. As Clarence Darrow put it, "big business begins by making it impossible for the small businessman to survive." The "fair practices" laid down in the codes were too expensive for the small entrepreneur to adopt. Wilson Compton, representing the National Lumber Manufacturers' Association, complained that small operators were "confronted with costs so increased as to endanger their solvency." Costly accounting systems, fixed prices and elaborate wage contracts tended to freeze the Forgotten Man out of the picture.

The earlier mood of the businessman who, according to *Business Week* in May, 1933, "is willing, he feels, just now to surrender some part of his freedom to achieve a degree of stability" was out the window by 1935. By July 1 of that year *The New York Times* was complaining that "the legislature has been for the most part the docile if sometimes sullen creature of the Executive" and that "legislation, with little care whether it was constitutional or not, has been forced through relentlessly."

LOOKING BACK on it all, Professor Tugwell concludes, in his recent book, that it was just as well that the Nine Old Men gave NRA the *coup de grace*. "It was a relief to everyone, including Franklin — although he covered his relief with a careful camouflage of indignation — to have NRA disapproved by the Court. In a way it was ironic that he should have been able to use so fortunate a reverse as a club with which to beat the reactionary justices." The NRA failed, according to Tugwell, because it has been used "by faithless businessmen to gain advantages they might have known they would not be allowed to maintain."

Others will find a more plausible explanation in the lament of *Business Week* (1933) that "the incredible complexity of our industrial structure creates myriad special problems. It seems impossible to conceive of general legislation rigid enough to achieve the desired ends, flexible enough to meet thousands of special cases."

Anyway, the 1957 man who shyly confesses that he, like everybody else, is a modern New Dealer will have to make up his mind, as far as NRA is concerned, whether he is for the Ickes concept of a compulsory corporative industrial state, or the later reality of a system in which big business wrote its own ticket, usually at the expense of little businessmen who were officially labelled "chisellers."

Another achievement of the New Deal, for which few would care to claim credit today, is mentioned by Ben Gitlow, long a top American Communist, in *The Whole of Their Lives* (Scribner's).

"American communism owes its rise to prominence to the election of Roosevelt in 1932, to the organization of the Committee on Industrial Organization in 1935, to the recognition of the Soviet Union by the United States in 1933," wrote Mr. Gitlow in 1949.

Of course neither FDR nor his top collaborators had the foggiest notion that they were

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giving the Communist party a boost. Roosevelt himself seems not to have taken Communists seriously. Mrs. Perkins, his Secretary of Labor, testifies that "he took the *status quo* in our economic system as much for granted as his family." Nevertheless, he happily recognized the Soviet regime without exacting any of the terms which every President beginning with Woodrow Wilson had insisted upon. And the newly created National Labor Relations Board soon became infested with left wingers who undoubtedly saw to it that Communist infiltration of the unions was, to say the least, unimpeded.

Other consequences of the too violent swing from employer to union influence can be seen in the recent revelations before the McClellan Committee. Anyone who is a New Dealer today must surely favor the return of the New Deal labor policies — which, incidentally, were more radical even than those which survived in the Wagner Act — and deplore the passage of the Taft-Hartley "slave labor" law.

Postscript: Of course there are plenty of neo-New Dealers among us. For example, Chief Justice Warren and several of his colleagues on the Supreme Court might find it difficult to object to Professor Tugwell's definition of constitutionality, as contained in an article in the Review of Reviews *for August, 1933. "Constitutionality," Dr. Tugwell wrote, "is talked about as if it were a tangible fact, undeviating and precise. The wiser lawyers of my acquaintance agree with me in recognizing the folly of such a notion. Constitutional law, at any given time, is the then current theory of what ought to be done under the Constitution, a legalistic expression of the prevailing practical and economic philosophy."*

The New Deal, according to Tugwell, "rediscovered the Constitution and revitalized the powers it was intended to create." The New Dealers, in his opinion, had the duty to "supply a real and visible guiding hand to do the task which that mythical, nonexistent, invisible agency (the Constitution) was supposed to perform but never did." So, if "we're all New Dealers now," we must believe that the US Constitution never functioned at all until the New Dealers put legs under it!

The State rests.

Frederic Nelson has been Associate Editor of the *Saturday Evening Post*, in charge of the editorial page, since 1942. He won the Freedoms Foundation Award, for an editorial, in 1951. His most recent contribution to HUMAN EVENTS was "America's Constitutional Crisis," July 6, 1957.

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